

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

WEBSTER CAPITAL FINANCE,
A DIVISION OF WEBSTER BANK,
NATIONAL ASSOCIATION,

Plaintiff,

vs.

STL EQUIPMENT LEASING CO., LLC,
et al.,

Defendants.

Case No. 4:24-cv-01645-MTS


MEMORANDUM AND ORDER

This matter is before the Court on review of the file. *See Hertz Corp. v. Friend*, 559 U.S. 77, 94 (2010). A review shows Plaintiff’s Complaint has failed to establish this Court’s subject matter jurisdiction under 28 U.S.C. § 1332(a). *Compare, e.g.,* Doc. [1] ¶¶ 2–4, *with GMAC Com. Credit LLC v. Dillard Dep’t Stores, Inc.*, 357 F.3d 827, 829 (8th Cir. 2004), *and James v. Moore*, 1:23-cv-00115-SNLJ, 2023 WL 4350944, at *1 (E.D. Mo. July 5, 2023). “The burden of proving the existence of subject matter jurisdiction rests with the party invoking federal jurisdiction.” *Magee v. United States*, 9 F.4th 675, 680 (8th Cir. 2021). The Court will provide Plaintiff another opportunity to meet its burden. *See* 28 U.S.C. § 1653 (allowing amendment of pleadings to show jurisdiction). Failure to do so will result in the dismissal of this action without prejudice.

Accordingly,

IT IS HEREBY ORDERED that, no later than **Friday, December 13, 2024**, Plaintiff must file an amended complaint that establishes this Court's subject matter jurisdiction. Failure to do so will result in dismissal of this action without prejudice.

Dated this 6th day of December 2024.



MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE